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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,208	01/04/2002	Ara H. Gharapetian	HI0603GUSU (P01003US)	6472
34408 7590 07/11/2008 THE ECLIPSE GROUP 10605 BALBOA BLVD., SUITE 300 GRANADA HILLS, CA 91344				
EXAMINER DU, THUAN N				
ART UNIT		PAPER NUMBER		
2116				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/037,208

**Applicant(s)**

GHARAPETIAN, ARA H.

**Examiner**

Thuan N. Du

**Art Unit**

2116

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 7, 8, 14-17, 21, 22, 26 and 28-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, 8, 14-17, 21, 22, 26 and 28-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Final Drawing Review (PTO-849)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amendment (dated 11/9/07).
2. Claims 5, 6, 9-13, 18-20, 23-25 and 27 have been cancelled. Claims 1-4, 7, 8, 14-17, 21, 22, 26 and 28-32 are presented for examination.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Drawings***

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "plurality of transmitters" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

5. Claims 1, 4, 17 and 21 are objected to because of the following informalities:

Claim 1 recites the limitation "the signals" in line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the signals" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 17 recites "were" in line 8 which should be -- where --.

Claim 21 recites the limitation "the turn on or off signals" in line 12. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

6. Claims 1-4, 7, 8, 14, 17, 21, 22, 26, 28, 29 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Darbee et al. [Darbee], U.S. Patent No. 5,552,917 in view of Teich et al. [Teich], U.S. Patent No. 4,850,040.

7. Regarding claim 1, Darbee teaches a remote control (10), comprising:

a memory (RAM 54) pre-programmed [col. 8, lines 1-10; col. 15, line 57 to col. 16, line 11] with addresses and commands [col. 6, line 60 to col. 7, line 2] for a plurality of electronic devices for a home theatre system [col. 8, lines 10-15];

a processor (CPU 56) capable of communicating with the memory to access the addresses and commands for the plurality of electronic devices [col. 6, line 60 to col. 7, line 2];

an initiation device (DO button) capable of communicating with the processor [col. 5, lines 25-27] so that when the initiation device is activated the processor encodes an address and a command into a signal for each electronic device in the plurality of electronic devices [col. 6, lines 34-36; col. 9, line 48 to col. 10, line 6; col. 16, lines 38-41]; and

a transmitter [col. 8, lines 45-55] capable of communicating with the processor where the processor directs the transmitter to sequentially send automatically the signals to each electronic device in the plurality of electronic devices [col. 15, line 57 to col. 16, line 41].

Darbee does not explicitly teach the remote control comprising a plurality of transmitters capable of simultaneously send the signals.

Teich teaches a remote control comprising a plurality of transmitters operated simultaneously to send signals [col. 1, lines 67-68; col. 9, lines 13-17].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Darbee to include a plurality of transmitter in the

remote control as taught by Teich. The modification would increase the flexibility of the system by allowing the plurality of electronic devices to receive the signals simultaneously instead of sequentially.

8. Regarding claim 2, Darbee teaches the remote control further including an input device capable of receiving address and command for an electronic device from a memory storage area [col. 5, lines 25-27; col. 8, lines 1-19].

9. Regarding claim 3, Darbee teaches the remote control further including an output device capable of communicating with the microprocessor and displaying information about a status of the remote control [col. 3, line 65 to col. 4, line 5].

10. Regarding claim 4, Darbee teaches a remote control (10), comprising:  
a processor capable of communicating with a memory pre-programmed with addresses and commands for a plurality of electronic devices for a home theatre system [col. 6, line 60 to col. 7, line 2];

a dedicated button (DO button) capable of communicating with the processor [col. 5, lines 25-27] so that when the dedicated button is activated the processor encodes an address and a turn on or off command into a signal for each electronic device in the plurality of electronic devices [col. 6, lines 34-36; col. 9, line 48 to col. 10, line 6; col. 16, lines 38-41]; and

a transmitter [col. 8, lines 45-55] capable of communicating with the processor where the processor directs the transmitter to send the signals to each electronic device in the plurality of electronic devices [col. 15, line 57 to col. 16, line 41].

Darbee does not explicitly teach the remote control comprising a plurality of transmitters capable of simultaneously send the signals.

Teich teaches a remote control comprising a plurality of transmitters operated simultaneously to send signals [col. 1, lines 67-68; col. 9, lines 13-17].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Darbee to include a plurality of transmitter in the remote control as taught by Teich. The modification would increase the flexibility of the system by allowing the plurality of electronic devices to receive the signals simultaneously instead of sequentially.

11. Regarding claim 7, Darbee teaches the remote control further including an input device capable of receiving address and command for an electronic device [col. 5, lines 25-27; col. 8, lines 1-19].

12. Regarding claim 8, Darbee teaches the remote control further including an output device capable of communicating with the microprocessor and displaying information about a status of the remote control [col. 3, line 65 to col. 4, line 5].

13. Regarding claim 14, Darbee teaches that the address encoded in the signal for a TV [col. 8, lines 12-13].

14. Regarding claim 17, Darbee teaches a remote control, comprising:

a memory (RAM 54) pre-programmed [col. 8, lines 1-10; col. 15, line 57 to col. 16, line 11] with a plurality of addresses and a plurality of commands [col. 6, line 60 to col. 7, line 2] where each of the plurality of commands performs an operation for at least one of a plurality of electronic devices for a home theatre system and each of the

plurality of addresses corresponds to an electronic device within the plurality of electronic devices [col. 8, lines 10-15; col. 15, line 57 to col. 16, line 40];

a dedicated button (DO button) capable of communicating with a microprocessor [col. 5, lines 25-27] to encode a plurality of signals, where each signal in the plurality of signals comprises an address and a command corresponding to an electronic device in the plurality of electronic devices [col. 6, lines 34-36; col. 9, line 48 to col. 10, line 6; col. 16, lines 38-41]; and

a transmitter [col. 8, lines 45-55] for automatically and sequentially sending the signals [col. 15, line 57 to col. 16, line 41].

Darbee does not explicitly teach the remote control comprising a plurality of transmitters capable of simultaneously send the signals.

Teich teaches a remote control comprising a plurality of transmitters operated simultaneously to send signals [col. 1, lines 67-68; col. 9, lines 13-17].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Darbee to include a plurality of transmitter in the remote control as taught by Teich. The modification would increase the flexibility of the system by allowing the plurality of electronic devices to receive the signals simultaneously instead of sequentially.

15. Regarding claims 26 and 32, Darbee teaches a system comprising:

a plurality of electronic devices for a home theatre system where each of the plurality of electronic devices is assigned a corresponding one of a plurality of addresses [col. 8, lines 1-19]; and



a remote control pre-programmed with the addresses for each electronic device in the plurality of electronic devices, where the remote control has a dedicated button capable of controlling each of the plurality of electronic devices by sending one of a plurality of turn on or off signals, wherein each turn on or off signal corresponds to an electronic device, and wherein each turn on or off signal is encoded with the corresponding address of the corresponding electronic device, and one or more of a plurality of commands to control the corresponding electronic device in the plurality of electronic devices [all the claimed subject matter is already discussed in respect to claims 1, 4 and 17 above].

wherein the remote control includes a transmitter capable of sequentially sending the turn on or off signals to each electronic device in the plurality of electronic device [all the claimed subject matter is already discussed in respect to claims 1, 4 and 17 above].

Darbee does not explicitly teach the remote control comprising a plurality of transmitters capable of simultaneously send the signals.

Teich teaches a remote control comprising a plurality of transmitters operated simultaneously to send signals [col. 1, lines 67-68; col. 9, lines 13-17].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Darbee to include a plurality of transmitter in the remote control as taught by Teich. The modification would increase the flexibility of the system by allowing the plurality of electronic devices to receive the signals simultaneously instead of sequentially.

16. Regarding claim 28, all the claimed subject matter is already discussed in respect to claim 4 above.

17. Regarding claim 29, Darbee teaches that the plurality of electronic devices including a TV [col. 8, lines 12-13].

18. Regarding claims 21 and 22, since they recite method of operating of the apparatus defined in the apparatus claims, they are rejected accordingly based on the rejection of the apparatus claims.

19. Claims 15, 16, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Darbee et al. [Darbee], U.S. Patent No. 5,552,917 in view of Teich et al. [Teich], U.S. Patent No. 4,850,040 and further in view of Griesau et al. [Griesau], U.S. Patent No. 6,507,306.

20. Regarding claims 15, 16, 30 and 31, Darbee does not explicitly teaches the devices including a DVD or an amplifier. Griesau teaches a remote control used for controlling a plurality of electronic devices including TV, DVD, and amplifier [col. 3, lines 23-29]. One of ordinary skill in the art would have recognized that a DVD or an amplifier is an electronic device. Darbee teaches that the remote control capable of controlling a multiple number of different electronic devices [col. 7, lines 56-58]. Therefore, it would have been obvious to one of ordinary skill in the art to recognize that the remote control taught by Darbee would also capable of controlling a DVD or an amplifier as taught by Griesau.

***Response to Argument***

21. Applicant's arguments with respect to claims 1-4, 7, 8, 14-17, 21, 22, 26 and 28-32 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan Du whose telephone number is (571) 272-3673. The examiner can normally be reached on Monday-Friday: 7:30 am - 4:00 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Perveen Rehana can be reached on (571) 272-3676.

Central TC telephone number is (571) 272-2100.

The fax number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Thuan N. Du  
July 3, 2008

/Thuan N. Du/  
Primary Examiner, Art Unit 2116